S.B.Cr.Misc. Bail Appli. No.4420/2007
(Smt. Khemli Bai vs. State of Rajasthan)

Date of order : September 18, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Sandeep Mehta, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by the learned counsel for the petitioner that the allegation of subjecting the deceased to harassment and cruelty is against Narain, husband of the deceased. So far as present petitioner is concerned, she is mother-in-law of the deceased.

Learned Public Prosecutor opposes the bail application and submits that almost all the witnesses, whose statements have been recorded by the police under section 161 Cr.P.C., have specifically levelled the allegations against the present petitioner and the husband of the deceased subjecting the

deceased harassment and cruelty and the deceased died otherwise than in normal circumstances within seven years of her marriage.

Having regard to the facts and circumstances of the case and keeping in view the statements of the witnesses, who speak against the petitioner also, and the allegations against the petitioner are serious in nature to the extent of dowry death, in my view, it is not a fit case to grant anticipatory bail to the petitioner.

The bail application filed by the petitioner under section 438 Cr.P.C. is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-